

FAX

GlaxoSmithKline

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From Bonnie Deppenbrock
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Date January 17, 2007 **Pages including cover** 4
Subject

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In re: Partridge
Appl. No.: 10/577,410
Filed: April 26, 2006
Title: ENZYME-CATALYZED DYNAMIC KINETIC RESOLUTION PROCESS FOR
PREPARING (+)-(2S,3S)-2-(3-CHLOROPHENYL)-3,5,5-TRIMETHYL-2-MORPHOLINOL
AND SALTS AND SOLVATES THEREOF

Art Unit: (not yet assigned)
Examiner: (not yet assigned)

Documents Attached: Response to Notification of Missing Requirements (1 page);
Notification of Missing Requirements (2 pages - copy)

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PR60552USw

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Partridge

Serial No.: 10/577,410

Filing Date: April 26, 2006

For: ENZYME-CATALYZED DYNAMIC KINETIC RESOLUTION PROCESS FOR
PREPARING (+)-(2S,3S)-2-(3-CHLOROPHENYL)-3,5,5-TRIMETHYL-2-
MORPHOLINOL AND SALTS AND SOLVATES THEREOF

Art Unit: (not yet assigned)

Examiner: (not yet assigned)

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Sir:

In response to the Notification of Missing Requirements mailed January 3, 2007, Applicants respectfully submit that the application has been reviewed and does not include any nucleotide or amino acid sequences. Accordingly, Applicants do not believe the submission of a Sequence Listing according to 37 CFR §§1.821-1.825 is required in the instant case.

Applicants respectfully request that the requirements for submission related to sequence listings be withdrawn and the application be passed to the Examiner group for review.

In accordance with PTO requirements, a copy of the Notification of Missing Requirements is attached. The Office is invited to contact the undersigned at (919) 483-1577 to discuss this matter further, if desired.

Respectfully submitted

Bonnie L. Deppenbrock
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Attorney for Applicants
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17 January 2007

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I hereby certify that this correspondence is being facsimile transmitted to (571) 270-9861 on January 17, 2007.

Rebecca Kerney
Rebecca Kerney

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Rec'd USPTO 17 JAN 2007

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To: USPTO

P.3/4

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Rebecca



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
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 Alexandria, Virginia 22313-1450
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HMT BLD

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/577,410	JOHN JOSEPH PARTRIDGE	PR60552USw
RECEIVED 03 March 2007 P7		INTERNATIONAL APPLICATION NO.
		PCT/US04/34755
I.A. FILING DATE		PRIORITY DATE
10/21/2004		10/27/2003
CONFIRMATION NO. 3254		
371 FORMALITIES LETTER		
 OC000000021809634		

Date Mailed: 01/03/2007

NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- This application clearly fails to comply with the requirements of 37 CFR 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the **Federal Register** at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment specifically directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the **Federal Register** at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

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- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

VONDA M WALLACE

Telephone: (703) 308-9140 EXT 225

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/577,410	PCT/US04/34755	PR60552USw

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